

105TH CONGRESS
2D SESSION

H. R. 3920

To amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws, to provide the District of Columbia with autonomy over its budgets, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1998

Ms. NORTON introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws, to provide the District of Columbia with autonomy over its budgets, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES IN ACT.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “District of Columbia Legislative and Budget Autonomy
6 Act of 1998”.

1 (b) REFERENCES IN ACT.—Whenever in this Act an
 2 amendment is expressed in terms of an amendment to or
 3 repeal of a section or other provision, the reference shall
 4 be considered to be made to that section or other provision
 5 of the District of Columbia Home Rule Act.

6 **SEC. 2. DISTRICT OF COLUMBIA BUDGET AUTONOMY.**

7 (a) ENACTMENT OF DISTRICT OF COLUMBIA BUDG-
 8 ET WITHOUT FURTHER CONGRESSIONAL APPROVAL.—

9 (1) IN GENERAL.—Section 446 (sec. 47–304,
 10 D.C. Code) is amended by striking the third, fourth,
 11 and fifth sentences and inserting the following: “Ex-
 12 cept as provided in section 467(d), section 471(c),
 13 section 472(d)(2), section 483(d), and subsections
 14 (f) and (g)(3) of section 490, no amount may be ob-
 15 ligated or expended by any officer or employee of the
 16 District of Columbia government unless such
 17 amount has been approved by an act of the Council,
 18 and then only in accordance with such authoriza-
 19 tion.”.

20 (2) CONFORMING AMENDMENTS.—(A) Sections
 21 467(d), 471(c), 472(d)(2), and 483(d) and sub-
 22 sections (f) and (g)(3) of section 490 are each
 23 amended by striking “fourth sentence” and inserting
 24 “second sentence”.

1 (B) Section 412(a) (D.C. Code, sec. 1–229(a))
 2 is amended by striking “(other than an act to which
 3 section 446 applies)”.

4 (3) CLERICAL AMENDMENTS.—(A) The heading
 5 of section 446 is amended to read as follows:

6 “ENACTMENT OF BUDGET BY THE COUNCIL”

7 (B) The item relating to section 446 in the
 8 table of contents is amended to read as follows:

“Sec. 446. Enactment of budget by the Council.”.

9 (b) ACTION BY COUNCIL OF DISTRICT OF COLUMBIA
 10 ON BUDGET ACTS.—Section 404(f) (sec. 1–227(f), D.C.
 11 Code) is amended by striking “transmitted by the Chair-
 12 man to the President of the United States” both places
 13 it appears and inserting “incorporated in such Act”.

14 (c) PERMITTING EMPLOYEES TO BE HIRED IF POSI-
 15 TION AUTHORIZED BY ACT OF THE COUNCIL.—Section
 16 447 (sec. 47–305, D.C. Code) is amended—

17 (1) by striking “Act of Congress” and inserting
 18 “act of the Council” both places it appears; and

19 (2) by striking “Acts of Congress” and insert-
 20 ing “acts of the Council”.

21 (d) AMENDMENTS TO LIMITATIONS ON BORROWING
 22 AND SPENDING BY THE DISTRICT TO REFLECT CHANGES
 23 IN BUDGET PROCESS.—

1 (1) FEDERAL AUTHORITY OVER BUDGET-MAK-
2 ING PROCESS.—Section 603 (sec. 47–313, D.C.
3 Code) is amended—

4 (A) by striking subsections (a) and (d);
5 and

6 (B) by redesignating subsections (b), (c),
7 and (e) as subsections (a), (b), and (c).

8 (2) CONFORMING AMENDMENTS.—(A) Section
9 443(8) (sec. 47–302(8), D.C. Code) is amended by
10 striking “section 603(b)” and inserting “section
11 603(a)”.

12 (B) Section 445 (sec. 47–304, D.C. Code) is
13 amended by striking “603(c)” and inserting
14 “603(b)”.

15 (C) Section 461(a)(1) (sec. 47–321(a), D.C.
16 Code) is amended by striking “section 603(b)” and
17 inserting “section 603(a)”.

18 (D) Section 487(a) (sec. 43–1615(a), D.C.
19 Code) is amended by striking “section 603(b)” and
20 inserting “section 603(a)”.

21 (e) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to budgets of the District of Co-
23 lumbia for fiscal years beginning on or after October 1,
24 1998.

1 **SEC. 3. ELIMINATION OF CONGRESSIONAL REVIEW OF**
2 **NEWLY-PASSED DISTRICT LAWS.**

3 (a) IN GENERAL.—Section 602 (sec. 1–233, D.C.
4 Code) is amended by striking subsection (c).

5 (b) CONGRESSIONAL RESOLUTIONS OF DIS-
6 APPROVAL.—

7 (1) IN GENERAL.—The District of Columbia
8 Home Rule Act is amended by striking section 604.

9 (2) CLERICAL AMENDMENT.—The table of con-
10 tents is amended by striking the item relating to sec-
11 tion 604.

12 (3) EXERCISE OF RULEMAKING POWER.—This
13 subsection and the amendments made by this sub-
14 section are enacted by Congress—

15 (A) as an exercise of the rulemaking power
16 of the House of Representatives and the Sen-
17 ate, respectively, and as such they shall be con-
18 sidered as a part of the rules of each House, re-
19 spectively, or of that House to which they spe-
20 cifically apply, and such rules shall supersede
21 other rules only to the extent that they are in-
22 consistent therewith; and

23 (B) with full recognition of the constitu-
24 tional right of either House to change such
25 rules (so far as relating to such House) at any
26 time, in the same manner, and to the same ex-

1 tent as in the case of any other rule of such
2 House.

3 (c) CONFORMING AMENDMENTS.—(1) Section 303
4 (sec. 1–205, D.C. Code) is amended—

5 (A) in subsection (a), by striking the second
6 sentence; and

7 (B) by striking subsection (b) and redesignating
8 subsections (c) and (d) as subsections (b) and (c).

9 (2) Section 404(e) (sec. 1–227(e), D.C. Code) is
10 amended by striking “subject to the provisions of section
11 602(c)” each place it appears.

12 (3) Section 462 (sec. 47–322, D.C. Code) is amend-
13 ed—

14 (A) in subsection (a), by striking “(a) The
15 Council” and inserting “The Council”; and

16 (B) by striking subsections (b) and (c).

17 (4) Section 472(d) (sec. 47–328, D.C. Code) is
18 amended by striking “(1) Notwithstanding” and all that
19 follows through “(2)”.

20 (5) Section 2(b)(1) of Amendment No. 1 (relating to
21 initiative and referendum) to title IV (the District Char-
22 ter) (sec. 1–282(b)(1), D.C. Code) is amended by striking
23 “the appropriate custodian” and all that follows through
24 “portion of such act to”.

1 (6) Section 5 of Amendment No. 1 (relating to initia-
 2 tive and referendum) to title IV (the District Charter)
 3 (sec. 1–285, D.C. Code) is amended by striking “, and
 4 such act” and all that follows and inserting a period.

5 (7) Section 16 of the District of Columbia Election
 6 Code of 1955 (sec. 1–1320, D.C. Code)—

7 (A) in subsection (j)(2)—

8 (i) by striking “sections 404 and 602(c)”
 9 and inserting “section 404”, and

10 (ii) by striking the second sentence; and

11 (B) in subsection (m)—

12 (i) in the first sentence, by striking “the
 13 appropriate custodian” and all that follows
 14 through “parts of such act to”,

15 (ii) by striking “is held. If, however, after”
 16 and inserting “is held unless, under”, and

17 (iii) by striking “section, the act which”
 18 and all that follows and inserting “section.”.

19 (d) EFFECTIVE DATE.—The amendments made by
 20 this section shall apply with respect to each act of the Dis-
 21 trict of Columbia—

22 (1) passed by the Council of the District of Co-
 23 lumbia and signed by the Mayor of the District of
 24 Columbia;

1 (2) vetoed by the Mayor and repassed by the
2 Council;

3 (3) passed by the Council and allowed to be-
4 come effective by the Mayor without the Mayor's sig-
5 nature; and

6 (4) in the case of initiated acts and acts subject
7 to referendum, ratified by a majority of the reg-
8 istered qualified electors voting on the initiative or
9 referendum,
10 on or after October 1, 1998.

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